

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED SCENIC ARTISTS, LOCAL USA	:	
829, IATSE,	:	
	:	
Plaintiff,	:	
	:	22-CV-5704 (VEC)
-against-	:	
	:	<u>ORDER</u>
	:	
PARADISE SQUARE BROADWAY	:	
LIMITED PARTNERSHIP, and BERNARD	:	
ABRAMS,	:	
	:	
	:	
Defendants.	:	
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VALERIE CAPRONI, United States District Judge:

WHEREAS on September 22, 2022, the Court ordered Plaintiff to serve Defendant Bernard Abrams by mail at three Canadian addresses and by e-mail, Dkt. 25;

WHEREAS on July 12, 2022, Plaintiff served Abrams at 155 St. Clair Avenue West, Suite 1701 Toronto, ON M4V OA1, Dkt. 12;

WHEREAS on August 4, 2022, Plaintiff attempted to serve Abrams at 1200 Bay Street, Suite 1201, Toronto, ON, M5R 2A5, but the Complaint and Summons were returned to Plaintiff's counsel marked "Return to Sender," Johnson Decl., Dkt. 24, ¶ 7;

WHEREAS on September 23, 2022, Plaintiff served Abrams at 2 St. Clair Avenue West, Suite 1800 Toronto, ON M4V 1L5, Canada, Dkt. 26;


WHEREAS on September 23, 2022, Plaintiff served Abrams via e-mail at babrams@stageventures.ca, Dkt. 28; and

WHEREAS Abrams has to date neither answered nor moved to dismiss;

IT IS HEREBY ORDERED that Plaintiff must reapply for a certificate of default against Abrams not later than **Friday, October 28, 2022**, or the Court will dismiss the case against him for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b). Should the Clerk of Court then issue a certificate of default against Abrams, Plaintiff must move for default judgment against both Defendants not later than fourteen days after the Clerk of Court issues the certificate.

SO ORDERED.

Date: October 19, 2022
New York, New York



VALERIE CAPRONI
United States District Judge